

**RECESSED MEETING  
JANUARY 22, 2004**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, January 22, 2004, at the hour of 2:00 PM. Those present were Commissioners: Larry Branham, Larry Brown, Kevin Gunderson, Don Maxwell and Mayor Stephen E. Gilmore, who presided. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; Thomas E. Kelley, Chief of Police; Mark Osborne, Fire Chief; Tony Grubb, Finance Director; Steve Corbitt, Director of Public Services; James P. Shaw, Director of Planning and Community Development; Greg Rice, Risk Manager; Gail Melvin, Economic Development Director; and Kevin P. Sinnette, Assistant Corporation Counsel.

**AGENDA**

City Manager Fisher presented the agenda of January 22, 2004. Motion was made by Gunderson, seconded by Branham, to receive and file the agenda. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

**OLD BUSINESS**

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 11, 2004**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN FOR THE CITY OF ASHLAND COMMUNITY DEVELOPMENT AGENCY PUBLIC HOUSING AUTHORITY, AS PREVIOUSLY ADOPTED BY ORDINANCE NO. 128, SERIES OF 2002, AMENDING THE TABLE OF CONTENTS, SECTION IV: DEFINITION OF TERMS; SECTION XXIV: FAIR MARKET RENT (FMR), PAYMENT STANDARD AND RENT REASONABLENESS LIMITATION; AND ADDING SECTION XXXV: HOMELESS INITIATIVE.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the City of Ashland Community Development Agency, Public Housing Authority, Housing Choice Voucher Administrative Plan previously adopted by Ordinance No. 128, Series of 2002, is hereby amended by amending the Table of Contents; Section IV: Definition of Terms; Section XXIV: Fair Market Rent (FMR), Payment Standard and Rent Reasonableness Limitation; and adding Section XXXV: Homeless Initiative. A copy of said amended and added sections is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. It shall be considered that it is the intent of the City of Ashland, in enacting this ordinance, that if any part of it be held unconstitutional the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the City would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the City of Ashland.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

**RECESSED MEETING JANUARY 22, 2004**  
**ORDINANCE NO. 11, 2004 CONTINUED**

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/DEBORAH MUSSER  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 15, 2004  
READOPTED BY THE BOARD OF COMMISSIONERS: January 22, 2004  
PUBLISHED:

**MOTION**

Motion was made by Gunderson, seconded by Branham, to adopt Ordinance No. 11, 2004, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 12, 2004**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING PAGE 95, PERSONNEL ACTION REQUEST FORM, OF THE “PERSONNEL POLICIES AND PROCEDURES” AS ADOPTED BY ORDINANCE NO. 77, SERIES OF 2003, AND PREVIOUSLY AMENDED.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Page 95, Personnel Action Request Form, of the “Personnel Policies and Procedures” as adopted by Ordinance No. 77, series of 2003, as previously amended, being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, UPDATING POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN FOR THE CITY OF ASHLAND, KENTUCKY AND REPEALING ORDINANCE NO. 25, SERIES OF 1991, AND ALL AMENDMENTS THERETO”, be and said form is hereby amended. A copy of said amended form is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance shall be in summary form.

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/DEBORAH MUSSER  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 15, 2004  
READOPTED BY THE BOARD OF COMMISSIONERS: January 22, 2004  
PUBLISHED:

**RECESSED MEETING JANUARY 22, 2004**  
**ORDINANCE NO. 12, 2004 CONTINUED**

**MOTION**

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. 12, 2004, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 13, 2004**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A MASTER COMMISSIONER'S DEED REGARDING LOTS 71, 72, 82 AND 83 OF THE CLYFFESIDE SUBDIVISION PURSUANT TO THE ORDER ISSUED BY THE BOYD CIRCUIT COURT, CASE #03-CI-00407.

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WHEREAS, the Boyd Circuit Court entered an Order on November 12, 2003, directing the Master Commissioner of said Court to execute a Deed of Conveyance to the City of Ashland conveying the interests of the Defendant, Roger Kittle, in Lots 71, 72, 82 and 83 of the Clyffeside Subdivision;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, is hereby authorized and directed to execute on behalf of said City a Master Commissioner's Deed regarding the conveyance of Lots 71, 72, 82 and 83 of the Clyffeside Subdivision to the City of Ashland. Said Master Commissioner's Deed is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/DEBORAH MUSSER  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 15, 2004  
READOPTED BY THE BOARD OF COMMISSIONERS: January 22, 2004  
PUBLISHED:

**MOTION**

Motion was made by Branham, seconded by Gunderson, to adopt Ordinance No. 13, 2004, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

**RECESSED MEETING JANUARY 22, 2004**  
**WORK SESSION**

**WORK SESSION**

Risk Manager Rice reported to the Commission the status of the City's health care fund. He explained the various solutions available to curb rising costs being explored by the Insurance Committee. Mr. Rice compared the components of the City's plan to a national average report compiled by ICMA.

George Arnold and Joe Wolfe of Insurance Solutions spoke about trends with other groups. They will have Anthem Benefit Administrators prepare detailed reports outlining the percentages of expenses and assist the committee in determining the most workable solution.

**EXECUTIVE SESSION**

Motion was made by Maxwell, seconded by Branham, to go into Executive Session at 3:29 PM to discuss an individual personnel matter. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

**RECONVENE**

The meeting reconvened at 5:06 PM and Mayor Gilmore announced the only item discussed was an individual personnel matter with no final action taken.

**ADJOURNMENT**

Mayor Gilmore declared the meeting adjourned at 5:07 PM.

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STEPHEN E. GILMORE  
MAYOR

ATTEST:

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DEBORAH MUSSER  
CITY CLERK